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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/310,965	05/13/1999	STAN SCHALL JR.	156.0001	9612

25534 7590 12/16/2003

CAHN & SAMUELS LLP  
2000 P STREET NW  
SUITE 200  
WASHINGTON, DC 20036

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 12/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## **DETAILED ACTION**

The appeal brief filed on September 15, 2003 has been found defective. Applicant has included in the appendix of claims, claim 15 which was amended after final rejection. The amendment has not been entered as it raises new issues. Appellant's brief reflects entry of the amendment, and presents arguments related to the non-entered amendment. Therefore, applicant's brief is found to be defective.

Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fenn C Mathew whose telephone number is (703) 305-2846. The examiner can normally be reached on Monday - Friday 9:00am - 5:30pm.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9302.

Art Unit: 3764

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

**NICHOLAS D. LUCCHESI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700**

fcm

December 15, 2003